

ASSEMBLY BILL

No. 2681

Introduced by Assembly Member Negrete McLeod

February 20, 2004

An act to amend Section 2725 of the Business and Professions Code, relating to nursing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2681, as introduced, Negrete McLeod. Nursing.

Existing law, the Nursing Practice Act, regulates the practice of nursing by the Board of Registered Nursing in the Department of Consumer Affairs.

This bill would make a nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2725 of the Business and Professions
2 Code is amended to read:
3 2725. (a) In amending this section at the 1973–74 session, the
4 Legislature recognizes that *registered* nursing is a dynamic field,
5 the practice of which is continually evolving to include more
6 sophisticated patient care activities. It is the intent of the
7 Legislature in amending this section at the 1973–74 session to
8 provide clear legal authority for functions and procedures that
9 have common acceptance and usage. It is the legislative intent also
10 to recognize the existence of overlapping functions between
11 physicians and registered nurses and to permit additional sharing

1 of functions within organized health care systems that provide for
2 collaboration between physicians and registered nurses. These
3 organized health care systems include, but are not limited to,
4 health facilities licensed pursuant to Chapter 2 (commencing with
5 Section 1250) of Division 2 of the Health and Safety Code, clinics,
6 home health agencies, physicians' offices, and public or
7 community health services.

8 (b) The practice of nursing within the meaning of this chapter
9 means those functions, including basic health care, that help
10 people cope with difficulties in daily living that are associated with
11 their actual or potential health or illness problems or the treatment
12 thereof, and that require a substantial amount of scientific
13 knowledge or technical skill, including all of the following:

14 (1) Direct and indirect patient care services that ensure the
15 safety, comfort, personal hygiene, and protection of patients; and
16 the performance of disease prevention and restorative measures.

17 (2) Direct and indirect patient care services, including, but not
18 limited to, the administration of medications and therapeutic
19 agents, necessary to implement a treatment, disease prevention, or
20 rehabilitative regimen ordered by and within the scope of licensure
21 of a physician, dentist, podiatrist, or clinical psychologist, as
22 defined by Section 1316.5 of the Health and Safety Code.

23 (3) The performance of skin tests, immunization techniques,
24 and the withdrawal of human blood from veins and arteries.

25 (4) Observation of signs and symptoms of illness, reactions to
26 treatment, general behavior, or general physical condition, and (A)
27 determination of whether the signs, symptoms, reactions,
28 behavior, or general appearance exhibit abnormal characteristics,
29 and (B) implementation, based on observed abnormalities, of
30 appropriate reporting, or referral, or standardized procedures, or
31 changes in treatment regimen in accordance with standardized
32 procedures, or the initiation of emergency procedures.

33 (c) "Standardized procedures," as used in this section, means
34 either of the following:

35 (1) Policies and protocols developed by a health facility
36 licensed pursuant to Chapter 2 (commencing with Section 1250)
37 of Division 2 of the Health and Safety Code through collaboration
38 among administrators and health professionals including
39 physicians and nurses.



1 (2) Policies and protocols developed through collaboration
2 among administrators and health professionals, including
3 physicians and nurses, by an organized health care system which
4 is not a health facility licensed pursuant to Chapter 2 (commencing
5 with Section 1250) of Division 2 of the Health and Safety Code.

6 The policies and protocols shall be subject to any guidelines for
7 standardized procedures that the Division of Licensing of the
8 Medical Board of California and the Board of Registered Nursing
9 may jointly promulgate. If promulgated, the guidelines shall be
10 administered by the Board of Registered Nursing.

11 (d) Nothing in this section shall be construed to require
12 approval of standardized procedures by the Division of Licensing
13 of the Medical Board of California, or by the Board of Registered
14 Nursing.

15 (e) No state agency other than the board may define or interpret
16 the practice of nursing for those licensed pursuant to the provisions
17 of this chapter, or develop standardized procedures or protocols
18 pursuant to this chapter, unless so authorized by this chapter, or
19 specifically required under state or federal statute. "State agency"
20 includes every state office, officer, department, division, bureau,
21 board, authority, and commission.

